

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/563,866  
Applicants : SCHULLER, PETER.  
Filed : JANUARY 9, 2006  
Title : CONDUCTIVE ELEMENTS

Art Unit : TO BE ASSIGNED  
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0184-US1

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35  
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US)**

Sir:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 dated April 17, 2006, the period for response to which is set to expire on June 17, 2006.

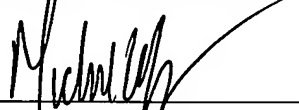
Submitted herewith is the executed declaration in compliance with 37 CFR 1.63.

The Commissioner is hereby authorized to charge the late filing fee of **\$130.00** required under 37 CFR 1.16(l), to **Deposit Account No. 10-0233, COCH-0184-US1.**

Application Number: 10/563,866

Please direct any inquiries in connection with this application directly to the undersigned.

Respectfully submitted,

  
\_\_\_\_\_  
Michael G. Verga  
Registration Number 39,410

**JAGTIANI + GUTTAG**  
Democracy Square Business Center  
10363-A Democracy Lane  
Fairfax, Virginia 22030  
(703) 591-2664

April 21, 2006

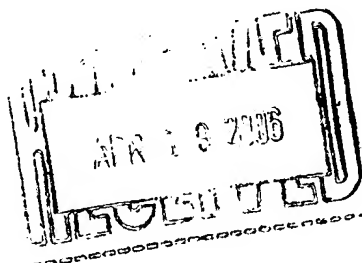


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,866	Peter Schuller	COCH-0184-US1

22506  
 JAGTIANI + GUTTAG  
 10363-A DEMOCRACY LANE  
 FAIRFAX, VA 22030



INTERNATIONAL APPLICATION NO.	
PCT/AU04/00920	
I.A. FILING DATE	PRIORITY DATE
07/09/2004	07/09/2003

CONFIRMATION NO. 1947  
 371 FORMALITIES LETTER



\*OC000000018544759\*

Date Mailed: 04/17/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/09/2006
- Copy of the International Search Report filed on 01/09/2006
- Copy of IPE Report filed on 01/09/2006
- Preliminary Amendments filed on 01/09/2006
- Information Disclosure Statements filed on 01/09/2006
- Request for Immediate Examination filed on 01/09/2006
- Copy of references cited in ISR filed on 01/09/2006
- U.S. Basic National Fees filed on 01/09/2006
- Substitute Specification filed on 01/09/2006
- Priority Documents filed on 01/09/2006
- Specification filed on 01/09/2006
- Claims filed on 01/09/2006
- Abstracts filed on 01/09/2006
- Drawings filed on 01/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

# SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,866	PCT/AU04/00920	COCH-0184-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)

RECEIVED PGI/PTO 21 APR 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



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Applicants : SCHULLER, PETER.  
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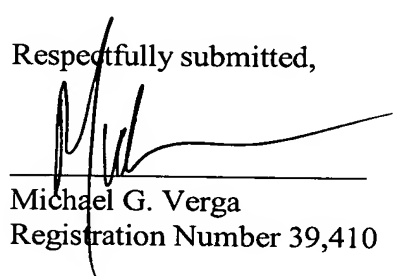
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Patent Fee Transmittal for FY 2006 (1 page w/dup.)
- ☒ Credit Card Payment Form (1 page)
- ☒ Response to Notification of Missing Requirements under 35 U.S.C. 371 (2 pages)
- ☒ Declaration and Power of Attorney (1 page)
- ☒ Copy of Notification of Missing Requirements under 35 U.S.C. 371 (2 pages)

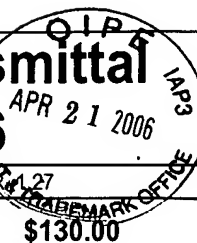
Respectfully submitted,

  
\_\_\_\_\_  
Michael G. Verga  
Registration Number 39,410

**JAGTIANI + GUTTAG**  
Democracy Square Business Center  
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Fairfax, Virginia 22030  
(703) 591-2664

April 21, 2006

# Patent Fee Transmittal for FY 2006



☐ Applicant(s) Claims Small Entity Status 37 C.F.R. 1.27

**TOTAL AMOUNT OF PAYMENT**

**\$130.00**

Application No. 10/563,866  
Filing Date 9-Jan-06  
Named Inventor SCHULLER, Peter  
Examiner Name To be assigned  
Art Unit To be assigned  
Attorney Docket No. COCH-0184-US1

## FEE CALCULATION

### 1. Filing Fees

Application Type	Description	Large Entity		Small Entity		Paid
		Code	(\$)	Code	(\$)	
Utility	<input type="checkbox"/> Basic	1011	300	2011	150	\$ -
	<input type="checkbox"/> Examination	1311	200	2311	100	\$ -
	<input type="checkbox"/> Search	1111	500	2111	250	\$ -
Design	<input type="checkbox"/> Basic	1012	200	2012	100	\$ -
	<input type="checkbox"/> Examination	1312	130	2312	65	\$ -
	<input type="checkbox"/> Search	1112	100	2112	50	\$ -
Plant	<input type="checkbox"/> Basic	1013	200	2013	100	\$ -
	<input type="checkbox"/> Examination	1313	160	2313	80	\$ -
	<input type="checkbox"/> Search	1113	300	2113	150	\$ -
Reissue	<input type="checkbox"/> Basic	1014	300	2014	150	\$ -
	<input type="checkbox"/> Examination	1114	600	2114	300	\$ -
	<input type="checkbox"/> Search	1314	500	2314	250	\$ -
Provisional	<input type="checkbox"/> Basic	1005	200	2005	100	\$ -
National Stage	<input type="checkbox"/> Basic	1631	300	2631	150	\$ -
	<input type="checkbox"/> Examination	1633	200	2633	100	\$ -
	<input type="checkbox"/> Search	1632	500	2632	250	\$ -

### 2. Extra Claim Fee

a. Claims as Filed

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1201	50	2201	25	\$ -
1202	200	2202	100	\$ -
1203	360	2203	180	\$ -

Extra Claims: Total Claims 0 - 20 = 0 x 0 = 0  
Independent: 0 - 3 = 0 x 0 = 0  
Multiple Dependent: 0

### b. Claims as Amended

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1201	50	2201	25	\$ -
1202	200	2202	100	\$ -
1203	360	2203	180	\$ -

After Amnt Highest Paid Present Extra  
Total Claims 0 - 0 \* = 0 x 0 = 0  
Independent 0 - 0 \*\* = 0 x 0 = 0  
First Presentation of Multiple Dependent: \* Less than 20, enter 20 \*\* Less than 3, enter 3

### 3. Extra Page Fee

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1081	250	2081	125	\$ -

Total Pages 0 - 100 Extra Pages 0 x 0 = 0

### Subtotal for Application Fees

1	\$ -	+	2	\$ -	+	3	\$ -	=	\$ -
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### 4. Additional Fees

Description	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Extension for response first month	1251	120	2251	60	\$ -
Extension for response second month	1252	450	2252	225	\$ -
Extension for response third month	1253	1,020	2253	510	\$ -
Extension for response fourth month	1254	1,590	2254	795	\$ -
Extension for response fifth month	1255	2,160	2255	1,080	\$ -
Notice of Appeal	1401	500	2401	250	\$ -
Filing a Brief in Support of an Appeal	1402	500	2402	250	\$ -
Request for Oral hearing	1403	1,000	2403	500	\$ -
Petitions under 1.17(f)	1462	400	2462	400	\$ -
Petitions under 1.17(g)	1463	200	2463	200	\$ -
Petitions under 1.17(h)	1464	130	2464	130	\$ -
Petition - public use proceeding	1451	1,510	2451	1,510	\$ -
Petition to Revive - Unavoidable	1452	500	2452	250	\$ -
Petition to Revive - Unintentional	1453	1,500	2453	750	\$ -
Utility Issue Fee	1501	1,400	2501	700	\$ -
Design Issue Fee	1502	800	2502	400	\$ -
Plant Issue Fee	1503	1,100	2503	550	\$ -
Reissue Issue Fee	1511	1,400	2511	700	\$ -
Publication Fee	1504	300	2504	300	\$ -
Statutory Disclaimer	1814	130	2814	65	\$ -

### Description (cont.)

Description (cont.)	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Recording each Assignment	8021	40	8021	40	\$ -
Submission of IDS	1806	180	1806	180	\$ -
Request for Cont. Examination (RCE)	1801	790	2801	395	\$ -
Filing Submission After Final	1809	790	2809	395	\$ -
Surcharge - late filing fee or oath	1051	130	2051	65	\$130.00
Surcharge - late provisional fee	1052	50	2052	25	\$ -
Non-English Specification	1053	130	2053	130	\$ -
Processing Fee 37 CFR 1.17(q)	1807	50	2807	50	\$ -
Request for Ex Parte Reexamination	1812	2,520	2812	2,520	\$ -
Request Pub. of SIR prior to action	1804	920	2804	920	\$ -
Request Pub. of SIR after action	1805	1,840	2805	1,840	\$ -
Each Add. Invention Examined	1810	790	2810	395	\$ -
Expedited Examination (Design)	1802	900	2802	900	\$ -
Unintentionally Delayed Priority Claim	1453	1,370	2453	1,370	\$ -
Certificate of Correction	1811	100	2811	100	\$ -
Maintenance Fees 3.5 years	1551	900	2551	450	\$ -
Maintenance Fees 7.5 years	1552	2,300	2552	1,150	\$ -
Maintenance Fees 11.5 years	1553	3,800	2553	1,900	\$ -
Surcharge - Late Payment 6 mos.	1554	130	2554	65	\$ -
Other fee					\$ -

04/26/2006 LLANDGRA 00000055 10563866

(cont.)

Additional Fee Subtotal 4 \$ 130

01 FC:1617 130.00 UP

### METHOD OF PAYMENT (Check all that apply)

☒ Credit Card (Provide credit card information and authorization on PTO-2038)

☒ Deposit Account No.

10-0233-COCH-0184-US1

For the above-identified deposit account, the Director is hereby authorized to:

☐ To charge the above-identified fee.

☒ To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

Name Michael G. Verga Reg. No. 39,410  
Firm Jagtiani + Gutttag  
Address 10363-A Democracy Lane, Fairfax VA 22030  
Telephone 703.591.2664 Fax 703.591.5907

Signature

Date